IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

WEDNESDAY, THE 14TH NOVEMBER 2007 / 23RD KARTHIKA 1929

WP(C).No. 26991 of 2006(L)

PETITIONER:

SRUTHI P., W/O. M.SATHYAN,
P.O.ACHAMPEEDIKA, KANNUR DISTRICT.

BY ADV. SRI.KALEESWARAM RAJ

RESPONDENTS:
----

1. KANNUR UNIVERSITY, REPRESENTED BY
THE REGISTRAR, KANNUR UNIVERSITY,
MANGATTUPARAMBA, KANNUR UNIVERSITY CAMPUS P.O.,
KANNUR.

2. THE CONTROLLER OF EXAMINATIONS,
KANNUR UNIVERSITY, MANGATTUPARAMBA,
KANNUR UNIVERSITY CAMPUS P.O., KANNUR.

3. THE PRINCIPAL,
TALIPARAMBA ARTS & SCIENCE COLLEGE,
KANHIRANGAD, TALIPARAMBA, KANNUR DISTRICT.

BY ADV. SRI.M.SASEENDRAN,SC,KANNUR UNIVERSITY
SRI.V.A.MUHAMMED, SC, UNIVERSITY
SRI.K.E.HAMZA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 14/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC NO.26991/06

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1: TRUE COPY OF THE MARK LIST DATED 30.5.2006 ISSUED BY THE KANNUR UNIVERSITY TO THE PETITIONER FOR FINAL YEAR BBM EXAMINATION.

EXT.P2: TRUE COPY OF THE LETTER DATD 19.6.2006 TOGETHER WITH THE RELEVANT SHEET IN THE REGISTER CONTAINING INTERNAL MARKS SUBMITTED BY THE PRINCIPAL BEFORE the 2ND RESPONDENT.

EXT.P3: TRUE COPY OF THE REPRESENTATION DATED 1.8.2006 SUBMITTED BY PETITIONER'S FATHER BEFORE THE VICE CHANCELLOR OF THE UNIVERSITY.

EXT.P4: TRUE COPY OF THE LETTER DATED 17.8.2006 ISSUED BY THE KANNUR UNIVERSITY TO THE PETITIONER.

EXHIBITS OF R1 AND R2

ANNEXURE R2(a): A TRUE COPY OF THE REPORT BY THE INSPECTING OFFICERS.

ANNEXURE R2(b): A TRUE COPY OF THE ORIGINAL MARK SHEET FORWARDING LETTER OF THE PRINCIPAL.

ANNEXURE R2(c): A TRUE COPY OF THE FORWARDING LETTER OF THE PRINCIPAL.

EXHIBITS OF R3

EXT.R3(a): TRUE COPYOF THE NOTE OF THE PRINCIPAL.

EXT.R3(b): TRUE COPY OF THE REPLY OF SRI.P.V.KAMALAKSHAN.

EXT.R3(c): TRUE COPY OF THE INTERNAL MARKS.

EXT.R3(d): TRUE COPY OF NOTICE OF THE PRINCIPAL.

//TRUE COPY//

ANTONY DOMINIC, J.
==========
W.P.(C) NO. 26991 OF 2006 L
==========

Dated this the 14th day of November, 2007

J U D G M E N T

The prayer in this writ petition is to quash Ext.P4 and to direct the respondents 1 and 2 to correct the marks awarded to the petitioner for the paper "Business Law" in the final year BBM Examination as Eighteen(18) instead of Eight(8).

2. It is the case of the petitioner and confirmed by the Principal of the College where she studied that although the petitioner was awarded 18 marks for internal assessment, while transmitting the same to the University, a mistake has been committed and that it was recorded as 8, and that the said mistake resulted in the entry in Ext.P1, which is objected to in this writ petition. Pursuant to the order dated 14/8/07 passed by this court, an inspection was conducted by the authorities of the University and the report submitted has been made available to me by the standing counsel for the University. In the report also, it is confirmed by the inspection team that though petitioner was awarded 18 marks, it was only on account of a mistake, on transmission of the same, 8 happened to be entered

in the marklist. Thus, it is evident that it was only on account of a mistake committed by the College that the wrong entry happened to be entered in the marklist. If that be so, the mistake so committed by the authorities needs to be corrected.

Accordingly, I dispose of this writ petition directing that respondents 1 and 2 shall correct the mistake by assigning 18 marks to the petitioner for the paper Business Law in the Final year BBM Examination as against 8 that is already awarded. Necessary correction shall be carried out and the marklist shall also be issued to the petitioner, as expeditiously as possible. Consequently, Ext.P4 will also stand quashed.

ANTONY DOMINIC, JUDGE.

Rp